

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
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This document relates to:

**Thomas E. Burnett, et al. v. Al Baraka Inv. &
Dev. Corp., et al. (03 CV 9849)**

**Thomas E. Burnett, et al. v. Al Baraka Inv. &
Dev. Corp., et al. (03 CV 5738)**

**NOTICE OF MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6) BY
DAR AL-MAAL AL-ISLAMI TRUST**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Motion To Dismiss of Defendant Dar Al-Maal Al-Islami Trust, and all prior pleadings and proceedings herein, Defendant Dar Al-Maal Al-Islami Trust, by their attorneys Sheppard Mullin Richter & Hampton LLP, will move this Court on _____, 2005, at _____ a.m., or as soon thereafter as counsel may be heard, before the Honorable Richard C. Casey, United States District Judge, United States District Court for the Southern District of New York, at the United States Court House, 500 Pearl Street, New York, New York, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing all claims against Defendant Dar Al-

Maal Al-Islami Trust in the above referenced actions with prejudice, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
October 7, 2005

Respectfully submitted,
SHEPPARD MULLIN RICHTER & HAMPTON LLP

By: _____/s/_____
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